

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-9 are pending. Claims 1, 4, and 7 are amended, and claim 9 is added. Claims 1, 4, and 7 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Claim for Priority

It is gratefully acknowledged that the Examiner has recognized the Applicants' claim for foreign priority. In view of the fact that the Applicants' claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

Drawings

The Applicants gratefully acknowledge that the Examiner has accepted the drawings filed on February 19, 2002.

Information Disclosure Statement

The Examiner is advised that an Information Disclosure Statement was filed on December 15, 2003.

Rejection Under 35 U.S.C. §103(a)

Claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Umeda et al. (JP 04-295777) in combination with Nakao et al. (U.S. 2001/00112709 A1) and Yoshida et al. (U.S. 5,124,565). This rejection is respectfully traversed.

Amendments to Independent Claim 1

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application,

independent claim 1 is amended herein to recite a combination of elements directed to a remote lock apparatus including a mounting panel fixed at fixed location of a handle bar or a steering shaft and extending upwardly in a forwardly upwardly inclined state on a front side of a central portion of the handle bar, wherein said infrared receiver is disposed in a position higher than the seat on said mounting panel with a reception face thereof directed rearwardly, and is placed at a height at which reception of an infrared signal emitted from rearwardly is not disturbed by a vehicle accessory or a vehicle body rear portion on the rear side with respect to said receiver.

Support for the novel limitations of claim 1 can be found in paragraph [0048], and are shown in FIG. 5.

Applicants respectfully submit that the combinations of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Umeda et al., Nakao et al., and Yoshida et al.

Umeda et al. (JP 04-295777) merely discloses a portable infrared receiver (9) which is provided in a vehicle body rear portion (under a seat). In addition, Yoshida et al. (U.S. Patent No. 5,124,565) merely disclose an infrared controlled locking device which is provided in a vehicle body front portion. These infrared receivers are disposed below the level of the seat. Thus, these references cannot cover the range of directivity of the infrared receiver without being influenced by the seat.

On the other hand, the present application discloses the infrared receiver which is disposed in a position higher than the seat. Thus, the range of directivity of the infrared receiver can be covered readily without being adversely influenced by the seat.

Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Umeda et al., Nakao et al., and Yoshida et al., for the reasons explained above.

Therefore, claim 1 and the claims depending therefrom are in condition for allowance. Accordingly, reconsideration and withdrawal of the rejection of claims 1-3 under 35 U.S.C. §103(a) are respectfully requested.

Amendments to Independent Claims 4 and 7

In addition, independent claim 4 is amended herein to recite a combination of elements directed to a remote lock apparatus including an inner cover fixed to a vehicle body front portion for covering the rear side of said steering shaft in a position which is below a handle

cover, said infrared receiver being disposed on a rear face of said inner cover so as to be protected from the sun by said handle cover; and

independent claim 7 is amended herein to recite a combination of elements directed to a remote lock apparatus including wherein said infrared receiver is disposed in a position higher than the seat on a lower rear portion outer face of said handle cover which is inclined rearwardly downwards so as to avoid a likelihood of exposure to direct sun rays, thereby effectively suppressing a signal to noise ratio of the receiver.

Support for the novel limitations of claim 4 can be found in paragraph [0055], and are shown in FIG. 7, and support for the novel limitations of claim 7 can be found in paragraph [0059], and are shown in FIG. 9.

Applicants respectfully submit that the combinations of elements as set forth in independent claims 4 and 7 are not disclosed or made obvious by the prior art of record, including Umeda et al., Nakao et al., and Yoshida et al.

The Examiner alleges that the specific location of the infrared receiver as claimed would be obvious to one of ordinary skill in the art, since the rearranging of parts involves only routine skill in the art. However, as disclosed in paragraphs [0009], [0055], and [0059], the location of the receiver in the present invention was specifically chosen so that it would be less likely to be exposed to the sun's rays so that the signal to noise ratio can be effectively suppressed.

None of the references cited by the Examiner teaches or suggests any recognition of the problem facing the present inventors, namely to protect the receiver from direct rays of the sun. As set forth in claims 4 and 7, the location of the receiver was specifically chosen to

address a problem not disclosed in the cited references, and thus, the Applicants respectfully submit that it is improper for the Examiner to conclude that specific location of the infrared receiver as claimed would be obvious to one of ordinary skill in the art, since the rearranging of parts involves only routine skill in the art.

Applicants respectfully submit that the combinations of elements as set forth in independent claim 4 and 7 are not disclosed or made obvious by the prior art of record, including Umeda et al., Nakao et al., and Yoshida et al., for the reasons explained above.

Therefore, claims 4 and 7 and the claims depending therefrom are in condition for allowance.

The Examiner will note that dependent claim 9 is added, depending from claim 7, and dependent claim 5 is amended. Support for the subject matter of claim 5, as amended herein, can be found in paragraph [0034].

In view of the above amendments and arguments, reconsideration and withdrawal of the rejection claims 4-8 under 35 U.S.C. §103(a) are respectfully requested.

All claims of the present application are now in condition for allowance.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

*Application No. 10/076,649
Amendment dated January 12, 2004
Reply to Office Action of October 10, 2003*

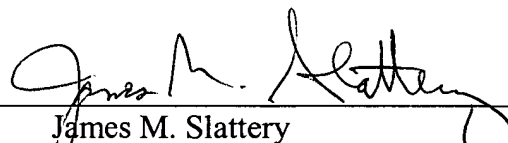
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All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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